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BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting
April 1, 2008

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:04 P. M., Tuesday, April 1, 2008, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: Mark Dudenhefer; Paul V. Milde; George H. Schwartz, Chairman; Cord A. Sterling; Robert "Bob" Woodson; and M. S. "Joe" Brito, Vice Chairman and Harry E. Crisp.

Also in attendance were: Anthony J. Romanello, County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

<u>Legislative</u>; <u>Report of the Superintendent of Schools.</u> Dr. David E. Sawyer, Division Superintendent of Schools, gave a presentation on current issues and responded to Board members questions.

<u>Legislative</u>; <u>Presentations by the Public</u>. The following persons spoke on topics as identified:

Warren Aldrich - Business, Professional and Occupational License Tax.

- Tax Assessments.

Frederic Howe - Business, Professional and Occupational License Tax.

Bob Hagan - Business, Professional and Occupational License Tax.

David Mayhew - Business, Professional and Occupational License Tax.

Jennifer Fox - Rappahannock Council Against Sexual Assault Budget Increase.

Alex McCallister - Drainfield ordinance.

Jo Knight - Business, Professional and Occupational License Tax.

Lou Silver - Business, Professional and Occupational License Tax.

Tax rates.

Paul McKinney - Drainfield ordinance.

<u>Legislative</u>; <u>Presentations and Committee Reports by Board Members</u>. Board members spoke on topics as identified:

Mr. Milde - Business, Professional and Occupational License Tax.

- George Washington Regional Commission.

- Potomac and Rappahannock Transportation Commission.

- Civil war sites.

- Dinner with Legislators.

- Soccer.

- Attend Wayfinding meetings.

Virginia Railway Express issues.

- Marine Corps Heritage Outreach Program.

Chaplin Group Home.

Historical easements.

- Prince William County synthetic turf soccer fields.

Illegal Immigration Task Force.

- Aquia Harbor Homeowners Association.

- Fredericksburg Regional Chamber of Commerce.

- Economic Development Authority.

- Town Center of Aquia.

Crow's Nest.

Stafford High School.

Mr. Sterling - No comments.

Mr. Woodson - Attended Quantico Growth Management Committee meeting.

- Capital Improvement Program.

- Widewater State Park.

- Stonebridge Homeowners Association.

- Fredericksburg Chamber of Commerce.

- Attended tour of Widewater Elementary School.

Joe Brito - Wal-mart on Warrenton Road.

- Lowes on Warrenton Road.

Land clearing across from GEICO.

- Turn lane extended at Warrenton Road and Poplar Road.

- 89th Anniversary of American Legion #290.

- George Washington Regional Commission.

- Austin Ridge Subdivision.

- Parks and Recreation Commission meeting.

Mr. Crisp - R-Board meeting.

- University of Mary Washington workshop.

Rappahannock River Basin Commission.

- Transportation Bond committee.

- Town Hall meeting at Ferry Farm Elementary School with PTA.

Mr. Dudenhefer - Illegal Immigration Task Force.

- George Washington Regional Commission.

- Commuter summit.

Liberty Place road improvements.

Commended County staff.

Mr. Schwartz

- Civilian-Military Community Relations Council.
- Rappahannock Area Agency on Aging.
- Rappahannock Regional Jail Authority meeting.
- Virginia Association of Counties.
- 7th District Regional Virginia meeting.
- Landfill historic sites.

<u>Legislative</u>; <u>Report of the County Attorney</u>. Mr. Joe Howard, County Attorney, commented on the following:

- Revised Closed Meeting.

<u>Legislative</u>; <u>Report of the County Administrator</u>. Mr. Anthony J. Romanello, County Administrator, commented on the following:

- Received the Distinguished Budget Presentation Award for the 19th year.
- Transportation Urban Service Districts.
- Additions Item 21 7:00 P.M. Presentation of a Proclamation to

 Designate April 2008 as Organ and Tissue Donation Awareness Month in

 Stafford; Item 22 Planning and Zoning; Appeal the Director of Planning
 and Zoning Decision Regarding Subdivision Vesting Status for Bridal Lake
 Estates; and Item 23 Planning and Zoning; Appeal the Director of
 Planning and Zoning Decision Regarding Subdivision Vesting Status for
 Colonial Forge.

Mr. Woodson motioned, seconded by Mr. Milde, to add: (Item 21) Legislative; Presentation of a Proclamation to Designate April 2008 as Organ and Tissue Donation Awareness Month in Stafford; (Item 22) Planning and Zoning; Appeal the Director of Planning and Zoning Decision Regarding Subdivision Vesting Status for Bridle Lake Estates; and (Item 23) Planning and Zoning; Appeal the Director of Planning and Zoning Decision Regarding Subdivision Vesting Status for Colonial Forge.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Milde, Dudenhefer

Nay: (0)

<u>Legislative</u>; Consent Agenda. Mr. Milde motioned, seconded by Mr. Woodson, to adopt the Consent Agenda consisting of Items 1 thru 7 with Item 7 being omitted.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

<u>Item 1. Legislative; Approve Minutes of Board Meetings.</u> Regular Meeting of March 4, 2008 and Special Meeting of March 18, 2008.

<u>Item 2. Finance; Approve Expenditure Listing</u>

Resolution R08-203 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED MARCH 18, 2008 THROUGH MARCH 31, 2008

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April 2008, that the above-mentioned EL be and it hereby is approved.

<u>Item 3. Code Administration; Budget and Appropriate Security Funds for Utilities Work at Liberty Place</u>

Resolution R08-205 reads as follows:

A RESOLUTION TO AUTHORIZE ACQUISITION OF SECURITY FUNDS AND BUDGET AND APPROPRIATE FUNDS FOR UTILITIES WORK AT LIBERTY PLACE

WHEREAS, the County has received a security deposit for a performance agreement for utilities infrastructure work at Liberty Place Townhouses; and

WHEREAS, the Board recognizes the default in meeting the requirements of the Performance Agreement for this project; and

WHEREAS, the Board desires to use the securities funds to complete the deficient work on the water and sewer infrastructure;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April, 2008 that the Board be and it hereby does recognize the performance agreement security as revenue in the amount of Thirteen Thousand Seven Hundred Thirteen Dollars (\$13,713); and

BE IT FURTHER RESOLVED that the Board be and it hereby does budget and appropriate the funds for transfer to the Utilities Fund to correct the defaulted work.

Item 4. Transportation; Petition VDOT to Include Carriage Hill Drive within Carriage
Hill at Falls Run Subdivision, Section 1; Nugent Drive, Vanburgh Court and Temple
Drive with Stowe as Amyclae Subdivision, a Portion of Section 2B and Section 3; and
Scottsdale Drive and Feldspar Way within Scottsdale Estates into the Secondary System
of State Highways

Resolution R08-143 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CARRIAGE HILL DRIVE WITHIN CARRIAGE HILL AT FALLS RUN SUBDIVISION, SECTION 1, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Carriage Hill Drive within Carriage Hill at Falls Run Subdivision, Section 1, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected this street and found it acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Carriage Hill at Falls Run Subdivision, Section 1, into the Secondary System of State Highways:

Street	<u>Station</u>		Length
Carriage Hill Dr. (S	R-2150) From: Inter	r. Truslow Rd. (SR-652)	0.19 Mi.
	To: Inter.	Trail Ridge Ln. (SR-2151)	54'-64' ROW

G. ..

An unrestricted right-of-way (ROW), as indicated above, for the street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Carriage Hill at Falls Run Subdivision, Section 1, LR 060023680, PM 060000147, recorded July 20, 2006; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

Resolution R08-166 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE NUGENT DRIVE, VANBURGH COURT AND TEMPLE DRIVE WITHIN STOWE OF AMYCLAE SUBDIVISION, PART OF SECTION 2B AND SECTION 3 INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Nugent Drive, Vanburgh Court and Temple Drive within Stowe of Amyclae Subdivision, part of Section 2B and Section 3, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Stowe of Amyclae Subdivision, part of Section 2B and Section 3, into the Secondary System of State Highways:

<u>Street</u> <u>Station</u> <u>Length</u>

Nugent Dr. (SR-1901)	From: Inter. Palladio Dr. (SR-1	904) 0.15 Mi.
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To: Inter. Vanburgh Ct. (SR-1907) 52' ROW

Nugent Dr. (SR-1901) From: Inter. Vanburgh Ct. (SR-1907) 0.07 Mi.

To: Inter. Temple Dr. (SR-1906) 52' ROW

Nugent Dr. (SR-1901) From: Inter. Temple Dr. (SR-1906) 0.05 Mi.

To: 0.05 Mi. W. Inter. Temple Dr. (SR-1906) 52' ROW

Vanburgh Ct. (SR-1907) From: Inter. Nugent Dr. (SR-1901) 0.15 Mi.

To: 0.15 Mi. SE Inter. Nugent Dr. (SR-1901) 50' ROW

Temple Dr. (SR-1906 From: Inter. Nugent Dr. (SR-1901) 0.17 Mi.

To: Inter. Kinross Dr. (SR-1902) 50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Right of Way Dedication for Stowe of Amyclae Subdivision, Section 2B, LR 030020483, PM 030000097 recorded May 28, 2003; Section 3, LR 050030502, PM 050000180, recorded August 9, 2005; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

Resolution R08-167 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT

OF TRANSPORTATION TO INCLUDE SCOTTSDALE DRIVE AND FELDSPAR WAY WITHIN SCOTTSDALE ESTATES INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Scottsdale Drive and Feldspar Way within Scottsdale Estates into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Scottsdale Estates into the Secondary System of State Highways:

Street	Station	<u>n</u>	Length
Scottsdale Dr. (SR-1768)	From: To:	Inter. Ferry Road (SR-606) Inter. Feldspar Way (SR-1763)	0.29 Mi. 50' ROW
Scottsdale Dr. (SR-1768)		Inter. Feldspar Way (SR-1763)	0.23 Mi.
	То:	0.23 Mi. W. Inter. Feldspar Way (SR-1763)	50' ROW
Feldspar Way (SR-1763)	From:	Inter. Brookstone Dr. (SR-1348)	0.11 Mi.
	To:	Inter. Scottsdale Dr. (SR-1768)	50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Scottsdale Estates, LR 050035524, PM 050000202, recorded September 7, 2005; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

Item 5. Fire and Rescue; Authorize a Public Hearing to Amend Fees Charged for Ambulance Recovery Costs and Expands the Definitions of Services

Resolution R08-199 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN
STAFFORD COUNTY CODE, CHAPTER 12, ARTICLE VII, ENTITLED
"AMBULANCE COST RECOVERY"

WHEREAS, the provisions of public safety services are a primary responsibility of the County; and

WHEREAS, the Ambulance Fee Cost Recovery program enhances fire and rescue service in the County; and

WHEREAS, the Board believes the Ambulance Cost Recovery program is necessary and in the public's best interest; and

WHEREAS, the Board desires to expand the definitions of services provided to be consistent with those utilized by the Center for Medicare and Medicaid Services (CMS); and

WHEREAS, the Board desires to consider an increase in the charges for ambulance recovery costs; and

WHEREAS, the Board desires to consider public comments concerning the proposed fee changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April, 2008, that the County Administrator be and he hereby is authorized to advertise for a public hearing to allow for presentation regarding the amendment to Stafford County Code, Chapter 12, Article VII, for the purpose of amending fees charged for ambulance cost recovery.

<u>Item 6.</u> County Attorney; Refer to the Planning Commission a Zoning Ordinance

Amendment Limiting the Number of Unrelated Individuals Living in Residences

Resolution R08-216 reads as follows:

A RESOLUTION TO REFER AN AMENDMENT TO THE ZONING ORDINANCE TO THE PLANNING COMMISSION THAT ESTABLISHES A DEFINITION FOR "FAMILY"

WHEREAS, the Board recognizes that the issue of overcrowding has been raised by Stafford citizens in public presentations and in letters to the editor in local newspapers; and

WHEREAS, adjacent localities have ordinances limiting the number of persons not related by blood, marriage, adoption or guardianship that can live in a dwelling by including a definition of "family" within their Zoning Ordinance; and

WHEREAS, Stafford County Code has no definition of "family" nor any restriction on the number of unrelated individuals occupying a residential dwelling; and

WHEREAS, the Board desires to consider an amendment to the Zoning Ordinance to include a definition of "family"; and

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WHEREAS, the Board desires to have the Planning Commission consider

including a definition of "family" by amending Stafford County Code, Section 28-25;

and

WHEREAS, public necessity, convenience, general welfare, and good zoning

practice requires such an amendment to the Zoning Ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 1st day of April, 2008, that the Board be and it hereby does refer

proposed Ordinance O08-42 to the Planning Commission for its consideration and

recommendations regarding an amendment to Stafford County Code, Section 28-25; and

BE IT FURTHER RESOLVED that the Planning Commission be authorized to

make recommended changes as needed.

Economic Development; Support Nomination and Request Funding of Aquia Landing for

Inclusion in the National Underground Railroad Network to Freedom Program. Mr.

Milde commented.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution

R08-214.

The Voting Board tally was:

Yea:

Brito, Crisp, Schwartz, Sterling, Woodson, Dudenhefer, Milde

Nay: (0)

(7)

Resolution R08-214 reads as follows:

A RESOLUTION TO SUPPORT AN APPLICATION SEEKING THE
NATIONAL PARK SERVICE DESIGNATION OF AQUIA LANDING AS AN
OFFICIAL NATIONAL UNDERGROUND RAILROAD NETWORK
TO FREEDOM SITE

WHEREAS, Stafford County recognizes its key role in America's formation and history, and seeks to document and preserve our diverse heritage; and

WHEREAS, Aquia Landing served as a critical commercial trading link between the northern and southern states, and an important passenger connection for the traveling public during the 18th and 19th centuries; and

WHEREAS, Aquia Landing is known to be a point of departure for African American slaves seeking freedom to the north – an important link in the Underground Railroad Network; and

WHEREAS, Designation of Aquia Landing as an official National Park Service Underground Railroad Network to Freedom site would preserve and promote Stafford's heritage, and make available new tourism marketing and grant opportunities; and

WHEREAS, the Board of Supervisors supports the pursuit of this designation for Aquia Landing in honor of those who sought freedom at its shore;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April 2008, that the County Administrator be and he hereby is authorized to apply for designation of Aquia Landing, as well as support funding, advance, and adequately promote the site upon designation, to the National Underground Railroad Network to Freedom program.

<u>Planning and Zoning and Utilities; Amend the Subdivision Ordinance and the County Code to Establish Regulations Pertaining to On-site Sewage Disposal Systems.</u> Mr. Dale Allen, Assistant Director of Utilities-Engineering, gave a presentation and responded to Board members questions.

Karl Rudolph, Stafford County Health Department commented.

Mr. Brito motioned, seconded by Mr. Woodson, to adopt proposed Ordinance O08-07.

Discussion ensued.

The Voting Board tally was:

Yea: (6) Crisp, Dudenhefer, Schwartz, Sterling, Woodson, Brito

Nay: (1) Milde

Ordinance O08-07 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 25-165, "TYPE, CAPACITY, LOCATION, ETC." REGARDING PRIMARY AND RESERVE DRAINFIELDS

WHEREAS, the Board acknowledges the desire to have quality development within the County; and

WHEREAS, the Board received a report from the Director of the Rappahannock Area Health District regarding alternative sewage disposal systems; and

WHEREAS, the Board believes that establishing minimum requirements for primary and reserve drainfields is in the public interest; and

WHEREAS, the Board has considered the recommendations of the Utilities Commission and staff and the testimony at the public hearing; and

WHEREAS, the Board finds that the public necessity, convenience, general welfare and good sanitation practice requires adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of April, 2008 that Section 25-165 of the Stafford County Code entitled "Type, Capacity, Location, etc.," be and it hereby is amended and reordained as follows with all other portions remaining the same; and

ARTICLE VII. PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEMS

Sec. 25-165. Type, capacity, location, etc.

The type, capacity, location and layout of a private <u>on-site</u> sewage disposal system shall comply with <u>all the</u> recommendations of the state and county health departments. No septic tank or cesspool shall be permitted to discharge into any natural outlet.

- (c) <u>Minimum standards for private sewage disposal on all lots recorded prior to</u>
 August 19, 1997 utilizing drainfields shall be as follows:
 - (1) Provided that sufficient soils are available on a particular parcel, reserve drainfield areas shall be provided. If a reserve drainfield is provided, it shall be equal to one hundred (100) percent of the primary drainfield area. This percentage is based on both absorption capacity and land area.
 - (2) Where there is insufficient room on a particular parcel for two secondary effluent on-site sewage disposal systems, a secondary effluent system may be utilized and any unused drainfield area designated as a reserve drainfield area.

- (3) Wherever technically feasible, the size of the structure shall be compatible with an on-site sewage disposal system that includes a primary drainfield and a one hundred (100) percent reserve drainfield area, based on both absorptive capacity and land area. The number of bedrooms in a residential structure shall not exceed the number that complies with this paragraph unless there is inadequate suitable soils on a lot to provide a primary drainfield and a reserve drainfield area for a one-bedroom residence, in which case only a primary drainfield may be provided and any additional area reserved for future repairs.
- (d) Minimum standards for private sewage disposal on all lots recorded after August 19, 1997 and before the effective date of O08-07, utilizing drainfields shall be as follows:
 - (1) To the maximum extent possible the reserve drainfield area shall be equal to one hundred (100) percent of the primary drainfield area. This percentage is based on both absorption capacity and land area.
 - (2) Where ever technically feasible, the size of the structure shall be compatible with an on-site sewage disposal system that includes a primary drainfield and a one hundred (100) percent reserve drainfield area, based on both absorptive capacity and land area. The number of bedrooms in a residential structure shall not exceed the number that complies with this paragraph unless there is inadequate suitable soils on a lot to provide both a primary drainfield and a reserve drainfield area for a one-bedroom residence, in which case, only a primary drainfield may be provided and any additional area reserved for future repairs, in which case only a primary drainfield may be provided and any additional area reserved for future repairs.

BE IT FURTHER ORDAINED that this ordinance shall become effective on June 1, 2008.

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Utilities; Reconsider Request to Waive Mandatory Sewer Connection for Williams Subdivision.

Mr. Dale Allen, Assistant Director of Utilities-Engineering, gave a presentation and responded to

Board members questions.

Mr. Brito motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-150.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

Resolution R08-150 reads as follows:

A RESOLUTION TO WAIVE MANDATORY WATER AND SEWER CONNECTIONS FOR THE WILLIAMS SUBDIVISION

WHEREAS, Section 25-71 of the County Code requires that subdivisions inside the Urban Service Area utilize the public water and sewer systems; and

WHEREAS, the Williams subdivision is inside the Urban Service Area; and

WHEREAS, Section 25-71 of the County Code provides a waiver process for applications submitted prior to May 3, 2007; and

WHEREAS, the owner of the Williams subdivision submitted his application prior to May 3, 2007 and has requested a waiver from the mandatory water and sewer requirements; and

WHEREAS, the Board has denied a request for a mandatory sewer connection waiver at a meeting on December 18, 2007 for the Williams Subdivision; and

WHEREAS, the Board has been requested to further consider its decision; and

WHEREAS, the Williams subdivision meets the guidelines for a waiver contained in Section 25-71 of the County Code;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April, 2008, that the Board be and it hereby does waive the requirements to utilize the public sewer systems for the Williams subdivision.

<u>Presentation on Construction of Falls Run Library.</u> Ms. Tammi Ellis, Acting Deputy County Administrator, gave a presentation and responded to Board members questions.

Greg Lukmeyer gave a presentation on the construction plans of the library.

Discussion ensued.

Hearing no objections from the Board, the Board gave its consensus for staff to go out to bid.

<u>Transportation; Presentation on Subdivision Street Acceptance Requirements.</u> Mr. Nick Donohue, Assistant Secretary of Transportation, Virginia Department of Transportation, gave a presentation to the Board.

Discussion ensued.

Recess. At 3:20 P.M., the Chairman declared a recess.

Call to Order. At 3:33 P.M., the Chairman called the meeting back to order.

Work Session with the School Board. The County Administrator commented.

Ms. Patricia Healy, Chairman of the Stafford County School Board, gave a presentation.

Discussion ensued.

Recess. At 4:53 P.M., the Chairman declared a recess.

Call to Order. At 4:55 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting.</u> At 4:56 P.M., Mr. Crisp motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM08-07.

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

Absent: (1) Dudenhefer

Resolution CM08-07 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting legal advice regarding the Subdivision Ordinance Vesting Appeals; and a personnel matter regarding discussion of the Internal Auditor; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7 Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 1st day of April, 2008, does hereby authorize discussions of the aforestated matters in Closed Meeting.

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<u>Call to Order.</u> At 6:02 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u>. Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Resolution CM08-07a.

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Resolution CM08-07a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON APRIL 1, 2008

WHEREAS, the Board has, on this the 1st day of April, 2008, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 1st day of April, 2008, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Recess. At 6:03 P. M. the Chairman declared a recess until 7:00 P. M.

<u>Call to Order.</u> At 7:02 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Woodson gave the Invocation.

<u>Pledge of Allegiance.</u> Mr. Milde lead in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

Legislative; Presentations by the Public. The following persons spoke on topics as identified:

Robert Hopkins - Legislative authority.

Michael Berry - Business, Professional and Occupational License Tax.
 Skip Causey - Business, Professional and Occupational License Tax.

<u>Legislative</u>; <u>Presentation of a Proclamation</u>.

• Designate April 2008 as Organ and Tissue Donation Awareness Month in Stafford.

<u>Utilities</u>; Amend Chapter 25, Article X, of the County Code Regarding Sewer Use <u>Standards</u>. Mr. Harry Critzer, Assistant Director of Utilities-Operations gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O08-26.

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Sterling, Brito, Crisp, Dudenhefer

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Nay: (0)

Absent: (1) Woodson

Ordinance O08-26 reads as follows:

AN ORDINANCE TO AMEND STAFFORD COUNTY CODE, CHAPTER 25,

ARTICLE X, SEWER USE STANDARDS

WHEREAS, the Environmental Protection Agency has promulgated revisions to

the General Pretreatment Regulations found at 40 CFR Part 403 intended to streamline

compliance for both the County and its industrial users without adversely affecting

environmental protection; and

WHEREAS, some of these revisions require amendments to the existing Sewer

Use Standards found at Chapter 25, Article X of the Stafford County Code; and

WHEREAS, the Board has held a public hearing to receive comments regarding

the proposed amendments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 1st day of April 2008, that Chapter 25, Article X of the Stafford

County Code entitled Sewer Use Standards be and hereby is amended as follows:

Sec. 25-198. Definitions.

Significant industrial user.

(3) The County may determine that an Industrial User subject to categorical

Pretreatment Standards is a Non-Significant Categorical Industrial User rather

than a Significant Industrial User on a finding that the Industrial User never

discharges more than 100 gallons per day (gpd) of total categorical wastewater

- (excluding sanitary non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
- (a) The Industrial User, prior to County's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
- (b) The Industrial User annually submits the certification statement required in Section 6.14 B [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and
- (c) The Industrial User never discharges any untreated concentrated wastewater.
- (3)(4) Upon a finding that a user meeting the criteria in subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the county may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Sec. 25-227. Periodic compliance reports.

(d) In cases where the Standard requires compliance with a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the Control Authority or the applicable Standards to determine compliance with the Standard; BMP compliance standards shall be incorporated into the SIU's permit and all records associated with the BMP shall be maintained in accordance with 40 CFR 403.12(o).

Sec. 25-231. Notice of violation; repeat sampling and reporting.

If the County performed the sampling and analysis in lieu of the Industrial User, the County will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat sampling and analysis. See 40 CFR 403.12(g)(2).

<u>Planning and Zoning; Consider an Amendment to the Street Addressing Ordinance to Rename</u>
<u>Portions of Roads to Primmer House Road, Forbes Court and Cambridge Street.</u> Ms. Kathy
Baker, Assistant Director of Planning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following persons spoke:

John McQuiddy

Carol Williams

Dean Fetterholf

The Chairman closed the public hearing.

Mr. Schwartz motioned, seconded by Mr. Woodson, to adopt proposed Ordinance O08-31.

Discussion ensued.

Mr. Milde made a substitute motion, seconded by Mr. Sterling, to adopt proposed Ordinance O08-31 with changes regarding phasing.

Discussion ensued.

Mr. Dudenhefer made a second substitute motion, seconded by Mr. Brito, to defer proposed Ordinance O08-31 for two weeks.

The Voting Board tally on the second substitute motion was:

Yea: (6) Dudenhefer, Milde, Sterling, Brito, Crisp, Woodson

Nay: (1) Schwartz

Mr. Schwartz motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O08-32.

Discussion ensued.

Mr. Brito made a substitute motion, seconded by Mr. Dudenhefer, to defer proposed Ordinance O08-32 to the next Board meeting.

Discussion ensued.

The Voting Board tally on the substitute motion was:

Yea: (3) Sterling, Brito, Woodson

Nay: (4) Crisp, Dudenhefer, Milde, Schwartz

The Voting Board tally on the original motion was:

Yea: (6) Dudenhefer, Sterling, Crisp, Milde, Schwartz, Woodson

Nay: (1) Brito

Ordinance O08-32 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ADDRESSING ORDINANCE BY AMENDING THE INDEX OF OFFICIAL ROAD NAMES TO RENAME A PORTION OF A ROAD IN THE FREDERICKSBURG POSTAL AREA

WHEREAS, the Board has established a Countywide system for naming all roads and numbering all principal buildings in the County; and

WHEREAS, the Board is authorized by Section 15.2-2019 of the Code of Virginia (1950), as amended, to name roads; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff and testimony received at the public hearing;

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice requires adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of April, 2008, that the Addressing Ordinance for Stafford County be and it hereby is amended and reordained by amending the Index of Official Road Names to rename a portion of a road in the Fredericksburg Postal Area as follows:

Location Current Road name New Road Name

From Dogwood Air Park, 2100

Jefferson Davis Highway Cambridge Street

feet north to intersection of

Enon Road.

<u>Planning and Zoning; Rezone 372.85 Acres from A-1, Agricultural to R-1, Suburban Residential at 134 Den Rich Road for Brentsmill, LLC.</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following person spoke:

Clark Leming, on behalf of the Applicant

The Chairman closed the public hearing.

Mr. Woodson motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-193 to deny.

Discussion ensued.

Mr. Milde made a substitute motion, seconded by Mr. Sterling, to defer proposed Ordinance O08-39 to the May 20, 2008, Board meeting.

Discussion ensued.

Mr. Milde withdrew his original motion. Mr. Sterling withdrew his second.

The Voting Board tally on the substitute motion was:

Yea: (4) Dudenhefer, Sterling, Milde, Brito

Nay: (3) Crisp, Schwartz, Woodson

Mr. Woodson motioned, seconded by Mr. Brito, to request staff to make sure that all public notices are prompt and completed; if not don't by the Applicant, staff is to proceed at the Applicants expense.

The Voting Board tally was:

Yea: (7) Dudenhefer, Sterling, Milde, Brito, Crisp, Schwartz, Woodson

Nay: (0)

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u>
<u>Subdivision Vesting Status for The Glens</u>. Ms. Andrea Hornung, Assistant Director of Planning and Zoning, gave a presentation and responded to Board members questions.

Mr. Steve Judy, Deputy County Attorney, commented.

Mr. Clark Leming, on behalf of the Applicant, and Bob Kaufmann commented further.

Mr. Sterling motioned, seconded by Mr. Milde, to defer proposed Resolution R08-219 to the August 19, 2008 Board meeting,

Discussion ensued.

The Voting Board tally was:

Yea: (5) Crisp, Schwartz, Dudenhefer, Sterling, Milde

Nay: (2) Woodson, Brito

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u> <u>Subdivision Vesting Status for Hills of Aquia</u>. Ms. Andrea Hornung, Assistant Director of Planning and Zoning, gave a presentation and responded to Board members questions.

Mr. Bob Kauffman commented.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Crisp, to defer proposed Resolution R08-221 to the August 19, 2008 meeting,

The Voting Board tally was:

Yea: (6) Woodson, Crisp, Schwartz, Dudenhefer, Sterling, Milde

Nay: (1) Brito

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u> <u>Subdivision Vesting Status for Colonial Forge</u>. Ms. Andrea Hornung, Assistant Director of Planning and Zoning, gave a presentation and responded to Board members questions.

Mr. Sterling motioned, seconded by Mr. Milde, to defer proposed Resolution R08-242 to the August 19, 2008 meeting,

Discussion ensued.

Mr. Brito made a substitute motion, seconded by Mr. Sterling, to defer proposed Resolution R08-242 indefinitely.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

Yea: (7) Dudenhefer, Sterling, Milde, Brito, Crisp, Schwartz, Woodson

Nay: (0)

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u> <u>Subdivision Vesting Status for Kings Leigh Estates.</u> Ms. Andrea Hornung, Assistant Director of Planning and Zoning gave a presentation and responded to Board members questions.

Mr. Clark Leming, on behalf of the applicant, commented.

Discussion ensued.

Mr. Brito motioned, seconded by Mr. Milde, to defer proposed Resolution R08-230 until May 6, 2008.

The Voting Board tally was:

Yea: (7) Crisp, Schwartz, Dudenhefer, Sterling, Milde, Woodson, Brito

Nay: (0)

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u>
<u>Subdivision Vesting Status for Bridle Lake Estates.</u> Ms. Andrea Hornung, Assistant Director of Planning and Zoning gave a presentation and responded to Board members questions.

Mr. Crisp motioned, seconded by Mr. Sterling, to defer proposed Resolution R08-240 until May 6, 2008.

The Voting Board tally was:

Yea: (7) Crisp, Schwartz, Dudenhefer, Sterling, Milde, Woodson, Brito

Nay: (0)

<u>Legislative</u>; <u>Discuss Posthumously Naming the County Administration Center after George Loyall</u>
<u>Gordon, Jr.</u> Mr. Milde commented.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-225.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Milde, Schwartz, Sterling, Dudenhefer

Nay: (0)

Resolution R08-225 reads as follows:

A RESOLUTION TO NAME THE STAFFORD COUNTY ADMINISTRATION
CENTER POSTHUMOUSLY IN HONOR OF
GEORGE LOYALL GORDON, JR

WHEREAS, the Board at a meeting on August 21, 2007 established a policy on the naming of County buildings; and

WHEREAS, in accordance with the policy the Board may dedicate buildings posthumously to individuals who made a significant and distinctive contribution to the County; and

WHEREAS, George Loyall Gordon, Jr., who served as the Commissioner of the Revenue for Stafford County for 57 years, died on March 1, 2008; and

WHEREAS, George Loyall Gordon, Jr. began working in Stafford County's office of the Commissioner of the Revenue in 1940, and he was appointed commissioner of the revenue in July 1942, at the age of 23, a position he held until retiring in 1999; and

WHEREAS, until the mid-1970s, George Gordon did all the real estate and personal property tax assessments in Stafford County by himself, and in the mid-1980s, he computerized the land tax records in his office and helped do the same in the County Treasurer's office; and

WHEREAS, the Board desires to posthumously name the Stafford County Administration Center in honor of George Loyall Gordon, Jr.;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April, 2008, that the County Administration Center be and it hereby is named posthumously in honor of George Loyall Gordon, Jr.

<u>Legislative</u>; <u>Discuss Board of Supervisors Bylaws</u>. Mr. Schwartz commented.

Hearing no objections from the Board, the Chairman that the committee of Mr. Crisp and Mr. Sterling further review the proposed changes and report back.

Recess. At 9:50 P.M., the Chairman declared a recess.

<u>Call to Order.</u> At 10:00 P.M., the Chairman called the meeting back to order.

<u>Budget</u>; <u>Authorize Public Hearing on Proposed 2008 Property Tax Rates, FY2009 County Budget and Capital Improvements Program.</u> The County Administrator commented.

Mr. Crisp motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-207 excluding the Capital Improvement Program advertisement.

Discussion ensued.

The Voting Board tally was:

Yea: (4) Brito, Crisp, Sterling, Dudenhefer

Nay: (3) Woodson, Milde, Schwartz

Adjournment. At 10:37 P.M., the Chairman declared the meeting adjourned.				
Anthony J. Romanello, ICMA-CM	George H. Schwartz			
County Administrator	Chairman			